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9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION

E-FILED - 1/22/07

12 UNITED STATES OF AMERICA,) No. CR 06-0208 RMW
13 Plaintiff,)
14 v.) [] ORDER EXCLUDING TIME
15 ALLEN TAM,)
16 Defendant.)
17 _____)

18 With the agreement of the defendant Allen Tam in open court on January 8, 2007, the
19 Court enters this order documenting the exclusion of time under the Speedy Trial Act, 18 U.S.C.
20 § 3161, from January 8, 2007 to July 9, 2007. The Court finds and holds as follows:

21 1. The defendant Allen Tam appeared before the Court on January 8, 2007. The
22 Court arraigned the defendant on the Superseding Indictment, and the defendant entered pleas of
23 not guilty to each count. With respect to a trial date, counsel informed the Court that defense
24 counsel would not be available for a trial until after June 2007. Accordingly, the Court set a trial
25 date of July 9, 2007 in this matter.

26 2. In light of the significant amount of discovery produced in this matter and the
27 availability of defense counsel, the Court finds that, taking into the account the public interest in
28 the prompt disposition of criminal cases, granting the continuance until, and setting a trial on,

1 July 9, 2007 is necessary for effective preparation of defense counsel and for continuity of
2 defense counsel. See 18 U.S.C. § 3161(h)(8)(B)(i) & (iv). Given these circumstances, the Court
3 finds that the ends of justice served by excluding the period from January 8, 2007 to July 9, 2007
4 outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(8)(A).

5 3. Accordingly, and with the consent of the defendant, IT IS HEREBY ORDERED
6 that the period from January 8, 2007 to July 9, 2007 be excluded from Speedy Trial Act
7 calculations under 18 U.S.C. § 3161(h)(8)(A) & (B)(i) & (iv).

8

9 IT IS SO ORDERED.

10

11 DATED: 1/22/07


RONALD M. WHYTE
United States District Judge

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